

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 5 and 7-17 are currently pending. Claims 1-4 and 6 have been canceled without prejudice; Claims 5, 7, 8, 11-13, and 16 have been amended; and Claim 17 has been added by the present amendment. The changes and additions to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-5, 12-14, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,731,844 to Rauch et al. (hereinafter “the ‘844 patent”) in view of U.S. Patent No. 5,920,642 to Merjanian (hereinafter “the ‘642 patent”); Claims 6 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘844 and ‘642 patents, further in view of U.S. Patent No. 5,758,259 to Lawler (hereinafter “the ‘259 patent”); Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘844 and ‘642 patents, further in view of the ‘259 patent and U.S. Patent No. 6,177,931 to Alexander (hereinafter “the ‘931 patent”) and U.S. Patent No. 5,446,919 to Wilkins (hereinafter “the ‘919 patent”); Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘844 and ‘642 patents, further in view of U.S. Patent No. 6,340,997 to Borseth (hereinafter “the ‘997 patent”); Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘844 and ‘642 patents, further in view of U.S. Patent No. 5,995,155 to Schindler (hereinafter “the ‘155 patent”); and Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘844 and ‘642 patents, further in view of the ‘931 patent.

Applicants respectfully submit that the rejections of Claims 1-4 are rendered moot by the present cancellation of those claims.

Amended Claim 5 is directed to an apparatus for providing additional services for televisual programs to be distributed by broadcasting, comprising: (1) a personal authentication unit arranged at a portion where a finger of a viewer comes into contact with a remote controller; (2) an electronic program guide (EPG) generation unit configured to generate an EPG in which televisual programs to be provided are classified into classified categories based on viewer features according to tastes of users to allow selection of a televisual program in accordance with the classified categories based on viewer features; and (3) an update unit configured to update the EPG on the basis of a similarity between televisual programs selected by the users. Further, Claim 5 has been amended to clarify that the update unit includes means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all the users, on the basis of the similarity between televisual programs selected by the users. Claim 5 has been amended to incorporate some of the limitations recited in Claim 6, which has been canceled without prejudice. Accordingly, no new matter has been added.<sup>1</sup>

Applicants respectfully submit that the rejection of Claim 5 is rendered moot by the present amendment to that claim. However, since Claim 5 has been amended to incorporate some of the limitations recited in Claim 6, Applicants will address the references cited in the rejection of Claim 6.

The '844 patent is directed to a method performed by a computer for obtaining, from a user, a selected program from among a plurality of television programs. In particular, the '844 patent discloses a method that provides for the concurrent display of a television schedule with a graphic description and a textual description of the television program currently selected by the user from a displayed television schedule. Further, the '844 patent

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<sup>1</sup> See also page 30 of the specification.

discloses that the schedule layout includes a number of program names arranged in an actively learned order based on a frequency of the users previous selections. However, as admitted in the outstanding Office Action, the '844 patent does not disclose a personal authentication unit arranged at a portion where a finger of a viewer comes into contact with a remote controller. Further, Applicants respectfully submit that the '844 patent fails to disclose means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, as recited in amended Claim 5. The '844 patent is silent regarding adding televisual programs based on contents of transactions for goods, as recited in Claim 5.

The '642 patent is directed to a remote control including a fingerprint reader that acquires a print from one or more operators' digits as a fingerprint signal, and a wireless conveying means for conveying the fingerprint signal to a set-top box. However, Applicants respectfully submit that the '642 patent fails to disclose means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, as recited in amended Claim 5.

The '259 patent is directed to a method of identifying, for a selected viewer, a preferred program available from an interactive television system at a selected time. In particular, the '259 patent discloses that a programming guide is automatically personalized based on the viewing history of the viewer and that the '259 system does not require any prior selection of programming types or classes by the viewer. Further, the '259 patent discloses that the system can identify preferred programming according to the viewing histories of any selected group of viewers. However, Applicants respectfully submit that the '259 patent fails to disclose means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, as recited in amended Claim 5. The '259 patent does not disclose

that contents of transactions for goods by another user are used to add programs from other than a classified category, as recited in amended Claim 5. The '259 patent is silent regarding the contents of transactions for goods made by other users, as recited in amended Claim 5.

Thus, no matter how the teachings of the '844, '644, and '259 patents are combined, the combination does not teach or suggest means for adding televisual programs from other than a classified category, based on contents of a transaction for goods made by another user having a taste similar to that of a user, as recited in amended Claim 5. Accordingly, Applicants respectfully submit that amended Claim 5 (and all similarly rejected dependent claims) patentably defines over any proper combination of the '844, '642, and '259 patents.

Further, Applicants respectfully submit that the '931, '919, '997, and '155 patents fails to remedy the deficiencies of the '844, '642, and '259 patents with regards to the means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, as recited in amended Claim 5.

Independent Claims 12, 13, and 16 recite limitations analogous to the limitations recited in Claim 5. Moreover, Claims 12, 13, and 16 have been amended in a manner analogous to the amendment to Claim 5. Accordingly, for reasons analogous to the reasons stated above for the patentability of Claim 5, Applicants respectfully submit that the rejections of Claims 12, 13, and 16 (and all similar rejected dependent claims) are rendered moot by the present amendment to Claims 12, 13, and 16.

Regarding the rejection of dependent Claims 7-11 and 15 under 35 U.S.C. § 103, Applicants respectfully submit that the '931, '919, '997, and '155 patents fail to remedy the deficiencies of the '844, '642, and '259 patents, as discussed above. Accordingly, Applicants respectfully submit that the rejection of Claims 7-11 and 15 are rendered moot by the present amendment to the independent claims.

The present amendment also sets forth new Claim 17 for examination on the merits. New Claim 17, which depends from Claim 5, clarifies that the apparatus of Claim 5 further includes a window generating unit configured to generate a program guide window that includes only a list of program categories such that the viewer can select one of the listed program categories prior to selecting a program within the selected program category. Claim 17 is supported by the originally filed specification and does not add new matter.<sup>2</sup>

Thus, it is respectfully submitted that independent Claims 5, 12, 13, and 16 (and all associated dependent claims) patentably define over any proper combination of the '844, '642, '259, '931, '919, '997, and '155 patents.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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<sup>2</sup> See, e.g., pages 13 and 14 of the specification.